

GOVERNOR-ELECT VISITS SACRAMENTO

Media entourage following faithfully, Governor-elect Arnold Schwarzenegger visited Sacramento this week to meet with Governor Gray Davis, Chief Justice Ronald M. George, Attorney General Bill Lockyer, other statewide officials and legislative leaders of both parties. He also had what was described as a "cordial" meeting with Senator Tom McClintock, his Republican opponent in the recently-concluded election.

Schwarzenegger announced that he plans to call the Legislature immediately into special session upon his swearing in, with the object of getting the Legislature to fix workers compensation, repeal the illegal immigrant driver's license bill ([SB 60](#)), and begin work on closing the budget gap.

Meanwhile, question remained whether or not the Senate would be called into session within the next couple of weeks to approve Governor Davis's "deathbed" appointees to various governmental positions. Following the example of most departing chief executives, Davis has made many (89, by one count) appointments to various agencies or state boards, including 12 of his top staffers. One report in the [Sacramento Bee](#) suggested that the Governor and Governor-elect were close to agreeing that Schwarzenegger would not withdraw a specified number of Davis's appointments requiring Senate confirmation if the Senate did not re-convene specifically for that purpose – a prospect that is making some Senate Democrats uncomfortable. Five years ago, Davis blocked 134 last-minute appointments made by his predecessor, Republican Governor Pete Wilson.

CLAREY TO BE SCHWARZENEGGER CHIEF OF STAFF

Gov.-elect Arnold Schwarzenegger has made the first key appointment to his administration: Patricia Clarey, an HMO executive and former aide to Governor Pete Wilson, will be the new Governor's Chief of Staff, generally regarded as the key gatekeeper in the administration. Clarey, 50, also worked in Washington with former presidents Bush and Reagan.



CJAC LAUNCHES ANTI-UCL INITIATIVE

Frustrated by the Legislature's refusal to enact what it sees as needed reforms in the state's Unfair Competition Law (UCL), the [Civil Justice](#)

[Association of California](#) (CJAC), an industry-supported "tort reform" group, announced Wednesday that it will seek to place an initiative on the November 2004 ballot that would make massive changes in the law.

The key provision of the initiative would eliminate the ability of private attorneys to bring representative actions under the law in the name of California consumers, or to bring actions to prevent future harm. Instead, private attorneys could only bring UCL actions if they had an actual plaintiff who had sustained injury. The initiative would allow district attorneys and the Attorney General to bring UCL actions without the need to show actual harm or monetary damages.

The initiative is co-sponsored by, among others, the California Chamber of Commerce and the California Motor Car Dealers Association, who have been thwarted in their efforts over the years to get the Legislature to approve legislation significantly changing the UCL. In 2003, reports that several California law firms – notably the Trevor Law Group – were filing hundreds of "shakedown" lawsuits against small minority businesses sparked the introduction of 11 bills to revise the UCL.

The "[Capitol Connection](#)" published by the Administrative Office of the Courts' Office of Governmental Affairs features a "UCL Roundtable" of supporters and opponents of the UCL in this month's edition.

DEADLINES UPCOMING

- **Nov 4 (Tuesday)** -- Last day for the county elections officials to complete the official canvass of the special statewide election.
- **Nov 11 (Tuesday)** – Last day for county elections officials to send to the Secretary of State a complete copy of the returns for the statewide special election.
- **Nov 15 (Saturday)** -- Last day for the Secretary of State to prepare, certify, and file a statement of the vote from the compiled returns.
- **November 17 (Monday)** – Day Governor-elect Schwarzenegger is scheduled to take office.
- **January 5, 2004 (Monday)** – Legislature re-convenes.
- **January 31, 2004 (Saturday)** – All bills introduced during first year (2003) of the 2003-04 Legislative Session must pass their house of origin or die by operation of the California constitution.